

713. Adulteration and misbranding of Sterling Premix. U. S. v. 65 Bags of Sterling Premix. Default decree of condemnation and destruction. (F. D. C. No. 1803. Sample No. 75035-D.)

This product contained a much smaller amount of vitamin A than that indicated on its label.

On April 12, 1940, the United States attorney for the Western District of Wisconsin filed a libel against sixty-five 100-pound bags of Sterling Premix at West Salem, Wis., alleging that the article had been shipped in interstate commerce on or about September 22, 1939, by Northrup, King & Co. from Minneapolis, Minn.; and charging that it was adulterated and misbranded. The article was labeled in part: "Sterling Premix * * * 20% of Fortified Cod Liver Oil Containing 3000 Vitamin A Units and 400 Vitamin D. Chick Units Per Gram."

It was alleged to be adulterated in that a valuable constituent had been in part omitted and abstracted therefrom, i. e., it did not contain 3,000 vitamin A units but did contain not more than 300 units of vitamin A per gram.

Misbranding was alleged in that the representations in the labeling that the article contained 20 percent of fortified cod-liver oil containing 3,000 vitamin A units per gram and that 1 pound of the article would replace 1 pint of good straight cod-liver oil, were false and misleading since it did not contain 3,000 units of vitamin A per gram and 1 pound thereof was not the equivalent and would not replace 1 pint of good straight cod-liver oil since it contained fewer units of vitamin A per gram than represented and 1 pound thereof contained a smaller quantity of vitamin A units than is contained in a pint of straight cod-liver oil.

On May 21, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered by the court that the product be destroyed.

SALT BLOCKS

714. Adulteration of salt blocks. U. S. v. 98 and 121 Salt Blocks. Default decrees of condemnation. Product destroyed. (F. D. C. Nos. 1291, 1621. Sample Nos. 66758-D, 74524-D.)

This product was contaminated with blood, animal hairs, and other filth.

On January 9 and March 14, 1940, the United States attorneys for the District of South Dakota and the District of Nebraska filed libels against 98 salt blocks at Fairview, S. Dak., and 121 salt blocks at Brunswick, Nebr., alleging that the article had been shipped in interstate commerce on or about November 3 and 16, 1939, by the Guarantee Veterinary Co. from Sioux City, Iowa; and charging that it was adulterated.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance and was otherwise unfit for food. It was alleged to be adulterated further in that it had been prepared, packed, or held under insanitary conditions whereby it had become contaminated with filth, and whereby it might have been rendered injurious to health.

On February 13 and June 10, 1940, no claimant having appeared, judgments of condemnation were entered and the lot seized in the District of Nebraska was ordered destroyed and that one seized in the District of South Dakota was ordered disposed of by the United States marshal. The latter was also destroyed.

715. Adulteration of salt blocks. U. S. v. 94 Salt Blocks. Default decree of condemnation and destruction. (F. D. C. No. 1507. Sample No. 72439-D.)

This product contained animal hairs, wood, straw, and other filth.

On February 20, 1940, the United States attorney for the District of Nebraska, filed a libel against 94 salt blocks at Pender, Nebr., alleging that the article had been shipped in interstate commerce on or about November 2, 1939, by Strange Bros. Hide Co. from Sioux City, Iowa; and charging that it was adulterated.

It was alleged to be adulterated in that it consisted wholly or in part of a filthy substance and was otherwise unfit for food. It was alleged to be adulterated further in that it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; or whereby it may have been rendered injurious to health.

On June 8, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

DAIRY PRODUCTS

BUTTER

Nos. 716 to 726 report the seizure and disposition of butter which was found to contain mold.

716. Adulteration of butter. U. S. v. 32 Tubs of Butter (and 4 other seizure actions against butter). Consent decrees of condemnation. Product ordered released under bond for use in the manufacture of soap and soap products. (F. D. C. Nos. 3954, 3055, 3056, 3075, 3105. Sample Nos. 19057-E, 19058-E, 19066-E, 19232-E, 19234-E.)

On September 7 and 14, 1940, the United States attorney for the Western District of Pennsylvania filed libels against 128 tubs of butter at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about June 20 to on or about August 25, 1940, by the Land O'Hills Creamery Co. and Valley Creamery Co. (both owned and operated by the Bowser Sales & Trading Corporation) from Sistersville, W. Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On October 18, 1940, the Bowser Sales & Trading Corporation, claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be used in the manufacture of soap and soap products.

717. Adulteration of butter. U. S. v. 11 Tubs of Butter. Default decree of condemnation and destruction. (F. D. C. No. 3057. Sample No. 24264-E.)

This product in addition to containing mold, was also deficient in milk fat.

On September 7, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 11 tubs of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 3, 1940, by Chesapeake Dairy Products Co. Inc., from Mathews, Va.; and charging that it was adulterated. It was labeled in part: "A. F. Bickley & Son * * * Phila. Pa."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be adulterated further in that it consisted in whole or in part of a filthy or decomposed animal substance.

On October 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

718. Adulteration of butter. U. S. v. 9 Tubs of Butter. Default decree of condemnation and destruction. (F. D. C. No. 2679. Sample No. 1530-E.)

On August 20, 1940, the United States attorney for the District of Maryland filed a libel against nine tubs of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 19, 1940, by the Fairmont Creamery Co. from Omaha, Nebr.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance or was otherwise unfit for food. It was labeled in part: "Butter * * * The Fairmont Creamery Co. Distributors."

On October 3, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

719. Adulteration of butter. U. S. v. 45 Pounds of Butter. Default decree of condemnation and destruction. (F. D. C. No. 2713. Sample No. 27050-E.)

On August 9, 1940, the United States attorney for the Eastern District of Kentucky filed a libel against 45 pounds of butter at Covington, Ky., alleging that the article had been shipped in interstate commerce on or about August 1, 1940, by French-Bauer, Inc., from Cincinnati, Ohio; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance or was otherwise unfit for food. It was labeled in part: "Parkway Creamery Butter."

On September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

720. Adulteration of butter. U. S. v. 48 Cartons of Butter. Default decree of condemnation and order of destruction. (F. D. C. No. 2661. Sample Nos. 19218-E, 19219-E.)

On August 14, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 48 cartons of butter at Pittsburgh, Pa., alleging